

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WILLIAM H. BALL,

Plaintiff(s),

V.

NEW YORK NEW YORK HOTEL AND
CASINO LLC,

Defendant(s).

Case No. 2:24-cv-01458-CDS-NJK

REPORT AND RECOMMENDATION

On September 10, 2024, the Court screened Plaintiff's complaint and ordered that "service must be accomplished within 90 days from the date this order is entered." Docket No. 6 at 4 (citing Fed. R. Civ. P. 4(m)). It does not appear that service was effectuated. *See* Docket No. 8. On December 18, 2024, the Court ordered Plaintiff to show cause in writing why the case should not be dismissed for lack of service. Docket No. 9. No response was filed. Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without prejudice pursuant to Rule 4(m).

Dated: January 14, 2025

Nancy J. Koppe
United States Magistrate Judge

NOTICE

This report and recommendation is submitted to the United States District Judge assigned to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation must file a written objection supported by points and authorities within fourteen days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).